

Robert A. Mittelstaedt (State Bar No. 60359)
ramittelstaedt@JonesDay.com
Kapri Saunders (State Bar No. 313360)
ksaunders@JonesDay.com
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
Telephone: 415.626.3939
Facsimile: 415.875.5700

Meir Feder (N.Y. Bar No. 2420842) (*Pro Hac Vice*)
mfeder@JonesDay.com
JONES DAY
250 Vesey Street
New York, NY 10281
Telephone: 212.326.3939
Facsimile: 877.833.3939

Christopher J. Lovrien (State Bar No. 230546)
cjlovrien@JonesDay.com
JONES DAY
555 South Flower Street, 50th Floor
Los Angeles, CA 90071
Telephone: 213.489.3939
Facsimile: 213.243.2539

Attorneys for Defendant
CHEVRON CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Baruch Yehuda Brill, et al.,

Plaintiff,

v.

Chevron Corporation,

Defendant.

Case No. 15-cv-04916-JD

**CHEVRON RESPONSE TO
PLAINTIFFS' NOTICE OF INTENT
NOT TO FILE THIRD AMENDED
COMPLAINT AND REQUEST FOR
ENTRY OF JUDGMENT**

Judge: Hon. James Donato

Trial Date: None Set

1 Contrary to plaintiffs' request for entry of judgment (ECF#102), the dismissal must be
2 *with* prejudice. The Court's Order (ECF#101) dismissed plaintiffs' Alien Tort Statute claims
3 with prejudice. As to the Antiterrorism Act claims, the Court gave plaintiffs two choices: (i)
4 attempt to amend one last time by today; or (ii) take an appeal. Plaintiffs have chosen the second
5 option. If this Court's Order is affirmed on appeal, plaintiffs should not be permitted to refile the
6 same claims. Thus, their ATA claims should now be dismissed, with prejudice, just as the ATS
7 claims were.

8
9 Dated: September 4, 2018

Respectfully submitted,

Jones Day

11 By: /S/ Christopher J. Lovrien
12 Christopher J. Lovrien

13 Counsel for Defendant
14 CHEVRON CORPORATION